

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MARYLAND**
Greenbelt Division

IN RE: Case No. 15-27350-TJC
KIMBALYNN L.H. DIENG
Debtor. Chapter 13

WELLS FARGO BANK, N.A.

Movant,

vs.

KIMBALYNN L.H. DIENG

Debtor/Respondent,

and

NANCY SPENCER GRIGSBY

Trustee/Respondent.

OBJECTION TO CONFIRMATION OF DEBTOR'S PROPOSED CHAPTER 13 PLAN

COMES NOW, Wells Fargo Bank, N.A. (hereinafter "Movant"), by and through undersigned Counsel, and files this Objection to Confirmation of Debtor's Proposed Chapter 13 Plan, and as reasons respectfully represents as follows:

1. Movant is a mortgage lender/servicer.
2. On or about December 17, 2015, Kimbalynn L.H. Dieng ("Debtor") filed a Voluntary Petition in this Court under Chapter 13 of the United States Bankruptcy Code.
3. Nancy Spencer Grigsby is the Trustee of the Debtor's estate.
4. Movant holds a deed of trust solely secured by the Debtor's real property located in Prince George's County, Maryland, and improved by a residence known as 10207 Twisted Stalk Court, Upper Marlboro, MD, 20772 (the "Property").
5. Movant has not yet filed a Proof of Claim, but anticipates filing a Proof of Claim that will include pre-petition arrears totaling or over \$61,918.40. The deadline to file a Proof of Claim is April 27th, 2016.
6. On December 17th, 2015, Debtor filed a Chapter 13 Plan (the "Plan").
7. Debtor's Plan proposes to treat Movant's secured claim by obtaining a loan modification within 12 months after the Plan is confirmed.
8. Debtor's Plan lists no alternative treatment of Movant's secured claim should Debtor fail to obtain a loan modification, and therefore it is not confirmable.
9. Objections to Confirmation of the Plan are due by February 16th, 2016.
10. Movant does not oppose denial of Debtor's Plan with leave to amend or a continuance, as proper for disposition and processing of this matter.

WHEREFORE, Movant, its successors and/or assigns prays that this court:

1. Enter an Order DENYING Confirmation of Debtor's Chapter 13 Plan, and
2. Grant such other and further relief as is just and necessary.

Dated: February 16, 2016

Respectfully Submitted,
BWW Law Group, LLC

/s/ Matthew George Kuspa
Matthew George Kuspa
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Counsel for Movant

CERTIFICATE OF SERVICE

I certify that on this 16th day of February, 2016, the following person(s) were or will be served a copy of the foregoing Objection to Confirmation of Debtor's Proposed Chapter 13 Plan via the CM/ECF system or by first class mail, postage prepaid:

Robert W. Thompson, Esq.
134 Holiday Court, Suite 301
Annapolis, MD 21401

Nancy Spencer Grigsby, Trustee
4201 Mitchellville Road, Suite 401
Bowie, MD 20716

Kimballynn L.H. Dieng
10207 Twisted Stalk Court
Upper Marlboro, MD 20772

/s/ Matthew George Kuspa
Matthew George Kuspa